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**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION**

**IN RE:**

**CASE: 18-28803**

TRAVIS AUGUSTINE MARTIN

**Hon. R. KIMBALL MOSIER**

**Debtor**

Confirmation Hearing: May 23, 2019 10:00 am

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**TRUSTEE'S OBJECTION TO EXEMPTIONS**

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Pursuant to Fed. R. Bankr. P. 4003(b), Lon A. Jenkins, Standing Chapter 13 Trustee, hereby objects to the exemption(s) claimed in Schedule C on the following grounds:

1. The Debtors filed their Chapter 13 petition for relief on November 23, 2018, and the First Meeting of Creditors under § 341 was held on December 28, 2018.
2. November 23, 2016 is the 730th day prior to the Debtor's petition date.
3. The Statement of Financial Affairs, Interrogatory No. 2 states that the Debtor lived in Arizona.
4. As set forth on the Schedule C, the Debtor claimed exemptions under Utah Code Ann. § 78-23.

5. Section 522(b) of the Bankruptcy Code states that an individual debtor may exempt property listed in either § 522(b)(2) or § 522(b)(3) and if the debtor is required to claim the state exemptions under § 522(b)(3), then the debtor must apply the:

State or Local Law that is applicable on the date of the filing of the petition at the place in which the debtor's domicile has been located for the 730 days immediately preceding the date of the filing of the petition, or if the debtor's domicile has not been located at a single State for such 730-day period, the place in which the debtor's domicile was located for 180 days immediately preceding the 730-day period or for a longer portion of such 180-day period than in any other place.

6. The Trustee objects to this exemption because it appears that the Debtor is not entitled to claim any exemptions under the Utah Code as the Debtor was domiciled in both Arizona and Utah between November 23, 2018 and was domiciled in Arizona during the full/ majority of the 180 day period immediately preceding November 23, 2018.

WHEREFORE, the Trustee objects to the Debtors' exemption claimed as stated above. The Trustee hereby objects to confirmation of the Debtors' plan unless the Debtors amend Schedule C to resolve this objection or file a response to this objection.

Dated: May 2, 2019

/s/ Katherine T. Kang  
Attorney for Chapter 13 Trustee

#### **CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing Trustee's Objection to Exemption(s) was served on the following parties on May 02, 2019:

DAVID L. FISHER, ECF Notification

TRAVIS AUGUSTINE MARTIN, 6678 S ALFRED WAY  
SALT LAKE CITY, UT 84123

/s/ Michelle Moses